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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

MICHAEL MINDEN & THERESA MINDEN,

Plaintiffs,

vs.

ALLSTATE PROPERTY AND CASUALTY
INSURANCE COMPANY, an Illinois
Corporation; DOE INDIVIDUALS 1-10 and
ROE ENTITIES I-X,

Defendants.

Case No.: 2:21-cv-00151-APG-BNW

**STIPULATION TO EXTEND DEADLINE
FOR PLAINTIFFS TO RESPOND TO
DEFENDANT'S MOTION TO DISMISS
(ECF No. 6)**

(First Request)

Plaintiffs, MICHAEL MINDEN and THERESA MINDEN (collectively, "Plaintiffs"), by and through their counsel of record, the law firm of REID RUBINSTEIN & BOGATZ, and Defendant Allstate Property and Casualty insurance Company's ("Defendant"), by and through its counsel of record, the law firm of McCORMICK, BARSTOW, SHEPPARD, WAYTE & CARRUTH LLP, hereby stipulate pursuant to LR IA 6-1 to extend the deadline for Plaintiffs to respond to Defendant's Motion to Dismiss (ECF No. 6) as follows:

1. Defendant filed its Motion to Dismiss (ECF No. 6) Plaintiffs' Complaint (ECF No. 1-1) on February 5, 2021.
2. Plaintiffs' response to Defendant's Motion to Dismiss is currently due on February 19, 2021.

3. Plaintiffs and Defendant stipulate and agree that the due date shall be extended and Plaintiffs' response to the Motion to Dismiss shall be due on or before February 26, 2021.

4. This is the first stipulation to extend the deadline for Plaintiffs to respond to Defendant's Motion to Dismiss.

5. The extension is requested because Plaintiffs are evaluating whether to amend the complaint under FRCP 15(a)(1)(B), which allows a party to amend the complaint within 21 days after the filing a motion under FRCP 12(b). The time limit for Plaintiffs to amend their complaint under FRCP 15(a)(1)(B) is the February 26, 2021. Plaintiffs request the extension to the deadline to respond to the Motion to Dismiss so that the deadline to respond to Motion to Dismiss and the deadline to amend the complaint under FRCP 15(a)(1)(B) are the same date. Therefore, if Plaintiffs decide to amend their complaint on or before the 26th, then Plaintiffs will not need to file a response to the Motion to Dismiss.

6. This extension is requested in good faith and not to delay the proceedings or prejudice any party.

DATED this 19th day of February, 2021.

REID RUBINSTEIN & BOGATZ

McCORMICK, BARSTOW, SHEPPARD,
WAYTE & CARRUTH LLP

/s/ Michael S. Kelley, Esq.

/s/ Wade M. Hansard, Esq.

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IT IS SO ORDERED.


UNITED STATES DISTRICT JUDGE
Date: February 19, 2021